

My name is Michael J Flynn, Jr. I am submitting the following eleven suggestions in support of the implementation and improvement of the MLC.

My career in the music industry began in 1992 as part of a small legal team that put singer-songwriter Mike Love's name on the many hit songs he co-wrote with his cousin Brian Wilson. In that capacity I garnered many insights into how the music industry has deprived artists of their rights over the past five decades, particularly pre-1972 artists. My experiences working on the Beach Boys cases over the past three decades, combined with my experiences as a technology entrepreneur (in 1996 i worked on the first website dedicated to music on the internet, [rocktropolis.com](http://rocktropolis.com)) and my experiences as a D-I-Y artist and label owner Rogue Records gives me a depth of experience that is somewhat unique.

I am also the Founder of startup company, Iconic Artists LLC. Iconic is building DRM and business intelligence tools to serve the MLC. We lobbied in Congress this summer on behalf of artists rights and as advocates for a third party fact checker to the MLC.

My eleven suggestions are as follows. If requested I am happy to elaborate on any suggestions of interest.

#### 11 RIEF COMMENTS FOR THE COPYRIGHT OFFICE SUBMITTED 12.10.18

1. Black Box Funds should not have a reversion date to the benefit of publishers over the rightful claimant.
2. The NOI lookup claims process needs to be streamlined.
3. The AFM claims administration process needs to be streamlined.
4. Fractional Licenses: PRO's cannot collect money for licenses they do not control.
5. There needs to be an independent auditor. As it stands now the DSP'S word must be taken for granted with inefficient auditing provisions that absolve the DSP's of liability and punish indie labels and D-I-Y artists.
6. Audio fingerprinting technology should be included in the metadata capture of the song registry and implemented when a blanket license is applied for.
7. Improved processes need to be implemented for the proactive administration and clarification for the DSP's of publishing and sound recording meta data capture on the song registry at the point of copyright registration.

8. The MLC structure needs to have fiduciary protections against conflicts of interest of its appointed representatives, particularly for distribution of previously unpaid royalties (“black box”) money.

9. Representatives of the major publishing companies should not be permitted to vote to distribute unpaid royalties based on market share, when their own companies would be the primary recipients of such distributions.

10. Similarly, Board members should not include representatives of companies which are shareholders of or investors in streaming services

11. Artists should be able to know when, where and by whom their music is being played. A company providing third party fact checking service to the MLC could provide a business intelligence dashboard to provide this service. This would be a valuable service to all stakeholders and offset the burden of accountability and liability from the DSP's and help the MLC to be more efficient, balanced and transparent.

Best Regards,

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